

FAX TRANSMISSION**RECEIVED**
CENTRAL FAX CENTER**MAR 08 2006****DATE:** March 8, 2006**PTO IDENTIFIER:** Application Number 09/870,397-Conf. #8066
Patent Number**Inventor:** Yoshiki Nakagawa et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP

Burton A. Amernick

PHONE: (202) 331-7111**Attorney Dkt. #:** 21581-00271-US**PAGES (Including Cover Sheet):** 20**CONTENTS:** Petition to Withdraw Notice of Abandonment (2 pages)
Copy of Petition previously filed (16 pages)
Certificate of Transmission (1 page)

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CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800, Washington, DC 20036-3425
Telephone: (202) 331-7111 Facsimile: (202) 293-6229

PTO/SB/97 (09-04)

Approved for use through 07/31/2008, OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application No. (if known): 09/870,397

Attorney Docket No.: 21581-00271-US

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on March 8, 2006
Date

Nicole Brown
Signature

Nicole Brown

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Petition to Withdraw Notice of Abandonment (2 pages)
Copy of Petition previously filed (16 pages)

**RECEIVED
CENTRAL FAX CENTER****MAR 08 2006**Docket No.: 21581-00271-US
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Yoshiki Nakagawa et al.

Application No.: 09/870,397

Confirmation No.: 8066

Filed: May 31, 2001

Art Unit: 1712

For: FUNCTIONAL GROUPS-TERMINATED
VINYL POLYMERS

Examiner: M. G. Moore

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice of Abandonment and February 6, 2006 and the subsequent communication from the USPTO dated February 28, 2006.

It is hereby petitioned that the Notice of Abandonment be withdrawn as the application is not in fact abandoned.

The Notice of Abandonment states that a Reply to the Office Action dated May 18, 2005 was not timely received. However, the Notice of Abandonment should be withdrawn since a response to the Office Action dated May 18, 2005 was filed on August 3, 2005. As evidence of this, attached is a true copy of the Response along with a true copy of the dated Auto-Reply Facsimile Transmission from the U.S. Patent and Trademark Office.

The undersigned hereby declares that all statements made herein of the undersigned's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and

446388

Application No.: 09/870,397

Docket No.: 21581-00271-US

that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Applicant believes no fee is due with this response. However, if a fee is due including any petition fee, please charge our Deposit Account No. 22-0185, under Order No. 21581-00271-US from which the undersigned is authorized to draw.

Dated: 3-08-06

Respectfully submitted,

By 

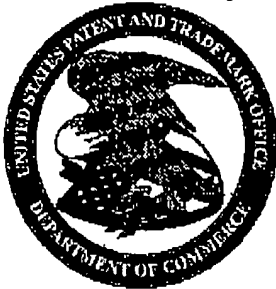
Burton A. Amernick

Registration No.: 24,852

CONNOLLY BOVE LODGE & HUTZ LLP

Correspondence Customer Number: 30678

Attorney for Applicant



Auto-Reply Facsimile Transmission

TO:

Fax Sender at 202 293 6229

Fax Information

Date Received:

Total Pages:

2/13/2006 2:46:36 PM [Eastern Standard Time]

14 (including cover page)

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Received
Cover
Page

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FEB. 8. 2006 2:53PM CBL&H 202 293 6229		NO. 44 P.
FAX TRANSMISSION		
DATE: February 13, 2006		
PTO IDENTIFIER: Application Number 09/870,397-Conf #8066		
Patent Number		
Inventor: Yoshiki Nakagawa et al.		
MESSAGE TO: US Patent and Trademark Office		
FAX NUMBER: (571) 273-6500		
FROM: CONNOLLY BOVE LODGE & HUTZ LLP		
Burton A. Amernick		
PHONE: (302) 331-7111		
Attorney No. #: 21581-00471-US		
PAGES (including Cover Sheet): 14		
CONTENTS: Request To Withdraw Notice Of Abandonment (1 page) Copy of Notice of Abandonment (2 pages) Copy of Response as Filed August 3, 2005 (9 pages) Certificate of Transmittal (1 page)		
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CONNOLLY BOVE LODGE & HUTZ LLP 1500 M Street, N.W., Suite 100, Washington, DC 20036-6425 Telephone: (202) 331-7111 Facsimile: (202) 293-6229		
PAGE 001 / RCVD AT 2/13/2006 2:46:36 PM [Eastern Standard Time] / PTOID:09/870397-428 / DLS:2736229 / CBL&H 202 293 6229 / DURATION (mm-ss):04:38		

MAR. 8. 2006 4:16PM

CBL&H 202 293 6229

NO. 1927 P. 6/20p. 1

* * * COMMUNICATION RESULT REPORT (FEB. 13. 2006 3:02PM) * * *

FAX HEADER 1: CBL&H 202 293 6229
FAX HEADER 2:TRANSMITTED/STORED : FEB. 13. 2006 2:59PM
FILE MODE OPTION

ADDRESS

RESULT

PAGE

USPTO

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14/14

1414 MEMORY TX

REASON FOR ERROR
-1- HANGS UP OR LINE FAIL
-3- NO ANSWERE-2} RUBY
NO FACSIMILE CONNECTION**FAX TRANSMISSION**

DATE: February 18, 2006

PTO IDENTIFIER: Application Number 09/870,897-Conf. #8066
Patent Number

Inventor: Yoshiki Nakagawa et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: CONNOLLY BOVE LODGE & HUTZ LLP
Burton A. Amernick

PHONE: (202) 331-7111

Attorney Dkt. #: 21581-00271-US

PAGES (Including Cover Sheet): 14

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CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street N.W., Suite 800, Washington, DC 20036-3425
Telephone: (202) 331-7111 Facsimile: (202) 293-6229

FAX TRANSMISSION**DATE:** February 13, 2006**PTO IDENTIFIER:** Application Number 09/870,397-Conf. #8066
Patent Number**Inventor:** Yoshiki Nakagawa et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP

Burton A. Amernick

PHONE: (202) 331-7111**Attorney Dkt. #:** 21581-00271-US**PAGES (Including Cover Sheet):** 14**CONTENTS:** Request To Withdraw Notice Of Abandonment (1 page)
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Telephone: (202) 331-7111 Facsimile: (202) 293-6229

PTO/SB/97 (09-04)

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Application No. (if known): 09/870,397

Attorney Docket No.: 21581-00271-US

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on February 13, 2006
Date



Signature

Nicole Brown

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Copy of Response as filed August 3, 2005 (9 pages)

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CENTRAL FAX CENTER**MAR 08 2006**Docket No.: 21581-00271-US
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Yoshiki Nakagawa et al.

Application No.: 09/870,397

Confirmation No.: 8066

Filed: May 31, 2001

Art Unit: 1712

For: FUNCTIONAL GROUPS-TERMINATED
VINYL POLYMERS

Examiner: M. G. Moore

REQUEST TO WITHDRAW NOTICE OF ABANDONMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

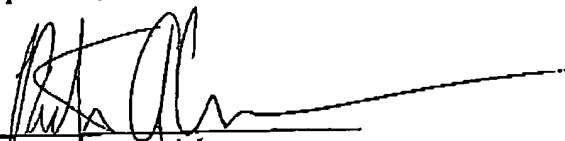
Dear Sir:

It is hereby requested that the Notice of Abandonment be withdrawn since a response to the Office Action dated May 18, 2005 was filed on August 3, 2005. Attached is a copy of the Response along with the dated Auto-Reply Facsimile Transmission from the U.S. Patent and Trademark Office.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 21581-00271-US from which the undersigned is authorized to draw.

Dated: February 13, 2006

Respectfully submitted,


By

Burton A. Amernick

Registration No.: 24,852

CONNOLLY BOVE LODGE & HUTZ LLP

Correspondence Customer Number: 30678

Attorney for Applicant

2158/0021
BAA
UNITED STATES PATENT AND TRADEMARK OFFICENotice of Abandonment
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,397	05/31/2001	Yoshiki Nakagawa	21581/0271	8066
7590 02/06/2006				
EXAMINER				
MOORE, MARGARET G				
ART UNIT		PAPER NUMBER		
1712				

DATE MAILED: 02/06/2006

Connolly Bove Lodge & Hutz LLP
Suite 800
1990 M Street, N.W.
Washington, DC 20036-3425


Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment	Application No.	Applicant(s)	
	09/870,397	NAKAGAWA ET AL.	
	Examiner	Art Unit	
	Margaret G. Moore	1712	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 18 May 2005.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:


Margaret G. Moore
Primary Examiner
Art Unit 1712

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 202 293 6229

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7 (including cover page)

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AUG. 3 2005 12:00 PM CBL&H 202 293 6229		NO. 6145
FAX TRANSMISSION		
DATE: August 3, 2005		
PTO IDENTIFIER: Application Number 09/870,297-Cont. #8066		
Patent Number		
Inventor: Yoshiki Nakagawa et al.		
MESSAGE TO: US Patent and Trademark Office		
FAX NUMBER: (571) 273-8300		
FROM: CONNOLLY BOVE LODGE & HUTZ LLP		
Burton A. Amernick		
PHONE: (202) 331-7111		
Attorney Ref. #: 31581-00371-US		
PAGES (including Cover Sheet): 7		
CONTENTS: Receipt to Office Action (3 pages) Certificate of Transmission (1 page)		
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PAGE 10 * RCVD AT 8/3/2005 12:00:02 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-473 * DNIS:2738300 * CSID:202 293 6229 * DURATION (mm:ss):04:38		

MAR. 8. 2006 4:18PM

CBL&H 202 293 6229

NO. 1927 P. 13/20 1

* * * COMMUNICATION RESULT REPORT (AUG. 3. 2005 12:09PM) * * *

FAX HEADER 1: CBL&H 202 293 6229
FAX HEADER 2:TRANSMITTED/STORED : AUG. 3. 2005 12:08PM
FILE MODE OPTION

ADDRESS

RESULT

PAGE

6745 MEMORY TX

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7/7

REASON FOR ERROR OR LINE FAIL
(1) HANG UP OR NO ANSWER

(2) BUSY NO FACSIMILE CONNECTION

FAX TRANSMISSION

DATE: August 3, 2005

PTO IDENTIFIER: Application Number 09/870,397-Conf. #8066
Patent Number

Inventor: Yoshiki Nakagawa et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 278-8300

FROM: CONNOLLY BOVE LODGE & HUTZ LLP
Burton A. Amernick

PHONE: (202) 331-7111

Attorney Dkt. #: 21581-00271-US

PAGES (Including Cover sheet): 2

CONTENTS: Response to Office Action (5 pages)
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1990 M Street, N.W., Suite 800, Washington, DC 20036-3426
Telephone: (202) 331-7111 Facsimile: (202) 293-6229

FAX TRANSMISSION**DATE:** August 3, 2005**PTO IDENTIFIER:** Application Number 09/870,397-Conf. #8066
Patent Number**Inventor:** Yoshiki Nakagawa et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP

Burton A. Amernick

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Telephone: (202) 331-7111 Facsimile: (202) 293-6229

PTO/SB/97 (09-04)

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Application No. (if known): 09/870,397

Attorney Docket No.: 21561-00271-US

Certificate of Transmission under 37 CFR 1.8

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on August 3, 2005
Date

Nicole Brown
Signature

Nicole Brown
Typed or printed name of person signing Certificate

Registration Number, if applicable

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Response to Office Action (5 pages)